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Paper No. 11

FAIR, ISAAC AND COMPANY, INC.  
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**MAR 12 2004**

**OFFICE OF PETITIONS**  
ON PETITION

In re Application of  
Caid et al.  
Application No. 09/672,237  
Filed: September 27, 2000  
Attorney Docket No. 5382

This decision concerns the February 20, 2004 petition under 37 CFR 1.137(b).

The petition is **DISMISSED**.

The application became abandoned on July 10, 2003 for failure to timely submit a proper reply to the April 9, 2003 non-final Office Action. The instant petition requests revival of the application under 37 CFR 1.137(b).<sup>1</sup>

A grantable petition under 37 CFR 1.137(b), in the instant case, must be accompanied by: (1) the **required reply to the Office action**, unless previously filed; (2) the \$1,330 petition fee; and (3) a statement that the entire delay in filing the required reply from its due date until the filing of a grantable §1.137(b) petition was unintentional.

**The petition lacks items (1) and is thus dismissed.**

A renewed §1.137(b) petition must comply with the requirements discussed above, be filed within **TWO MONTHS** of the mailing date of this decision,<sup>2</sup> and should be addressed to:

Mail Stop Petitions  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

<sup>1</sup> The petition asserts non-receipt of the April 9, 2003 non-final Office Action. A petition to withdraw the holding of abandonment is not the same as a petition to revive an abandoned application. The USPTO record indicates that the April 9, 2003 non-final Office Action was properly mailed to the current address-of-record.

<sup>2</sup> Extensions of time under 37 CFR 1.136(a) are available with payment of the appropriate fee(s). 37 CFR 1.137(e)(1).

Finally, the petition is accompanied by a "Revocation of Prior and Grant of New Power of Attorney" signed by a Kevin F. Baxter who is identified merely as "Vice President, Legal" of "Assignee of record." This document does not identify who the assignee is, or whether it is the assignee indicated in any particular assignment document recorded in the USPTO. This power of attorney is thus defective and will not be entered.

While a courtesy copy of the decision is being sent to the address indicated in the petition, all future correspondence on this application will be sent to the current address-of-record unless the USPTO is properly instructed otherwise.

If the new attorney wishes to obtain a copy of the April 9, 2003 non-final Office Action in order to prepare a reply thereto, a proper power of attorney should be filed along with a request for a copy of the Office action.

Telephone inquiries on this decision should be directed to the undersigned at (703) 308-0763.



RC Tang  
Petitions Attorney  
Office of Petitions

cc: Glenn Patent Group  
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Menlo Park, CA 94025  
Docket No. ISAA0060